



# SALT LAKE CITY TRANSMITTAL

**To:**  
Salt Lake City Council Chair

**Start Date:**  
09/10/2024

**Date Sent to Council:**  
09/18/2024

**From:**

**Employee Name:**  
Buckley, Benjamin

**E-mail**  
[benjamin.buckley@slc.gov](mailto:benjamin.buckley@slc.gov)

**Department**  
Community and Neighborhood

**Department Director Signature**

*Blake H. Thomas*

**Chief Administrator Officer's Signature \***

*Rachel Otto*

**Director Signed Date**  
09/13/2024

**Chief Administrator Officer's Signed Date**  
09/18/2024

**Subject:**  
Text Amendment - Obstructions in Required Yards and Height Exceptions

**Additional Staff Contact:**  
Mayara Lima - [mayara.lima@slc.gov](mailto:mayara.lima@slc.gov)

**Presenters/Staff Table**  
Ben Buckley, Mayara Lima

**Document Type \***  
Ordinance

**Budget Impact \***  
☐ Yes  
☒ No

**Budget Impact:**

**Recommendation: \***  
That the City Council adopt the changes to the zoning ordinance related to the Obstructions in Required Yards and Height Exceptions tables and all associated amendments, as recommended by the Planning Commission.

## Background/Discussion (?)

This text amendment modifies Tables 21A.36.020.B and 21A.36.020.C, which regulates permitted obstructions in required yards and permitted height exceptions in different zoning districts, respectively. At the February 14, 2024 Planning Commission meeting, the Salt Lake City Planning Commission unanimously voted to initiate a zoning text amendment to modify these tables in order to reduce the number of Planned Development requests to provide a rooftop use that exceeds the maximum building height. In addition to adding rooftop uses as permitted height exception, the amendment also addresses zoning administration issues, modifies provisions to align with building code requirements, and eliminates outdated provisions.

The Planning Commission considered the request at the June 26, 2024 public hearing and voted unanimously to send a positive recommendation to the City Council based on staff's proposed zoning ordinance text. The Planning Commission modified the proposal to clearly limit the wall height of unenclosed shade structures to five feet. Additionally, a modification to the "light pole" height exception, in Table 21A.36.020.C, was made after the Planning Commission meeting due to the exception allowing for a "special exception," a process that no longer exists in City Code.

Planning Commission (PC) Records

- a) PC Agenda of June 26, 2024 ([Click to Access](#))
- b) PC Minutes of June 26, 2024 ([Click to Access](#))
- c) Planning Commission Staff Report of June 26, 2024 ([Click to Access Report](#))

**Will the City Council need to hold a public hearing for this item? \***

☒ Yes

☐ No

### Public Process

Community Council Notice: A notice of application was sent to all city recognized community organizations on April 12, 2024, per City Code Chapter 2.60 with a link to the online open house webpage. The recognized organizations were given 45 days to respond with any concerns or to request staff to meet with them and discuss the proposed zoning amendment. Staff attended the meetings of the East Liberty Park Community Organization (May 9, 2024), Liberty Wells Community Council (May 16, 2024) and the Sugar House Land Use Committee (May 20, 2024). The Liberty Wells Community Council provided a comment of support via email. The 45-day public engagement period ended on May 27, 2024. No other comments were received.

Public Open House: An online open house was held from April 16, 2024 to May 31, 2024. No public comment was received.

Planning Commission Meeting: The Planning Commission held a public hearing on June 26, 2024. The Planning Commission forwarded a positive recommendation with a condition to City Council on the proposed amendment.

### Chief Administrator Officer's Comments

ERIN MENDENHALL  
*Mayor*



**DEPARTMENT of COMMUNITY  
and NEIGHBORHOODS**  
Blake Thomas  
*Director*

## **CITY COUNCIL TRANSMITTAL**

### **EXHIBITS:**

- 1) Ordinance
- 2) Project Chronology
- 3) Notice of City Council Public Hearing
- 4) Original Petition

## **1. ORDINANCE**

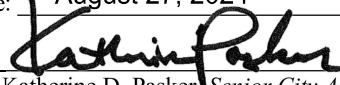
Project Title: Obstructions in Required Yards and  
Height Exceptions Amendments

Petition No.: PLNPCM2024-00231

Version: 1

Date Prepared: August 27, 2024

Planning Commission Action: Recommended 6/26/2024

<b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office Date: August 27, 2024 By:  Katherine D. Pasker, Senior City Attorney
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This proposed ordinance makes the following amendments (for summary purposes only):

- Modifies provisions to match building code requirements
- Eliminate outdated provisions
- Allows rooftop uses to exceed the maximum height in some zoning districts

Underlined text is new; text with strikethrough is proposed to be deleted. Modifications made as part of the Planning Commission recommendation are highlighted in yellow. All other text is existing with no proposed change.

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1. Amends Subsection 21A.24.010.P.6 as follows:

6. Grade Changes: No grading shall be permitted prior to the issuance of a building permit.

Grade changes within a required yard shall comply with Table 21A.36.020.B. Grade changes within the buildable area shall be supported by retaining walls, subject to 21A.24.010.P.8. ~~The grade of any lot shall not be altered above or below established grade more than four (4) feet at any point for the construction of any structure or improvement except:~~

~~a. Within the buildable area. Proposals to modify established grade more than six (6) feet shall be permitted for the construction of below grade portions of structures, egress windows, and building entrances. Grade change transition areas between a yard area and the buildable area shall be within the buildable area;~~

~~b. Within the side and rear yard areas, grade changes greater than four (4) feet are permitted provided:~~

~~(1) The grade change is supported by retaining walls.~~

~~(2) No individual retaining wall exceeds six (6) feet in height.~~

~~c. Within the required front and corner side yards, grade changes up to six (6) feet in height are permitted provided:~~

~~(1) The grade change is necessary for driveways accessing legally located parking areas; and~~

~~(2) The grade changes are supported by retaining walls.~~

2. Amends Subsection 21A.36.020.B as follows:

B. Obstructions in Required Yards: Accessory uses and structures, and projections of the principal structure, may be located in a required yard only as indicated ("X") in ~~Table 21A.36.020.B of this section~~. No portion of an obstruction authorized in ~~Table 21A.36.020.B of this section~~ shall extend beyond the authorized projection. Dimensions shall be measured from the finished surface of the building or structure.

TABLE 21A.36.020.B  
OBSTRUCTIONS IN REQUIRED YARDS<sup>1</sup>

Type Of Structure Or Use Obstruction	Front And Corner Side Yards	Side Yard	Rear Yard
Accessory buildings subject to the provisions of Chapter 21A.40 <del>of this title</del> , and located at least 1 foot from the side property line, except for the FP and FR Districts where no accessory building is permitted in any required yard. Accessory buildings shall be at least 10 feet from a principal residential building on an adjacent lot		X <sup>3</sup>	X
<del>Arbors and trellises not to exceed 12 feet in height or 120 square feet in residential districts. This requirement shall also apply to nonresidential districts unless otherwise authorized</del>	X	X	X
Architectural ornament not elsewhere regulated <u>so long as it projects not more than 4 inches 1 foot and is at least 2 feet from lot lines</u>	X	X	X
Awnings and canopies, <u>in residential districts only, that project</u> <del>extending</del> not more than 2 1/2 feet into front, corner side, or side yards and not more than 5 feet into rear yards <del>allowed in residential districts only</del>	X	X	X
Balconies projecting not more than 5 feet			X
Basketball hoop and backboard on or adjacent to permitted driveways	X	X	X
Bay windows which are 1 story high, not more than 10 feet long, project 2 feet or less and are located not less than 4 feet from a lot line	X	X	X
<del>Below grade encroachments</del> underground obstructions when there is no exterior evidence of the underground structure other than entrances and required venting, provided there are no conflicts with any easements or publicly owned infrastructure or utilities	X	X	X
<del>Breezeways and open porches</del>			X

<del>Central air conditioning systems, heating, ventilating, pool and filtering equipment, the outside elements Mechanical equipment, subject to complying with the setback and screening requirements in 21A.40.100 shall be located not less than 4 feet from a lot line, except for swamp coolers and window mounted units, which shall be a minimum 2 feet from a lot line Structures less than 4 feet from the property line shall be reviewed as a special exception according to the provisions of section 21A.52.030 of this title</del>	<u>X</u>	X	X
<u>Grade changes subject to the following:</u>			
<del>Changes of established grade for commercial or industrial uses in zones, where conditionally or otherwise permitted, the grade is changed to accommodate site retention or detention requirements</del> <u>Changes of established grade in a nonresidential district to accommodate site retention or detention as required by the Department of Public Utilities</u>	X	X	X
Changes of established grade of 4 feet or less <del>except for the FP and FR Districts which shall be subject to the provisions of subsection 21A.24.010.P of this title. (All, provided that:</del> 1. <del>g</del> <u>Grade changes over 2 feet located on a property line shall be supported by a retaining wall;-)</u> 2. <u>No portion of the retaining wall may exceed 4 feet in height above the established grade; and</u> 3. <del>Grade changes greater than 4 feet in height provided the grade change includes a</del> <u>For a terrace of retaining walls, a horizontal step that is a minimum of 3 feet in depth is provided for every 4 vertical feet of retaining wall each retaining wall shall be separated by a minimum of 3 horizontal feet</u>	X	X	X
Changes of grade within the Northwest Quadrant Development Area and Eco-Industrial Buffer Area as identified in <del>s</del> <u>Section 21A.34.140 of this title</u> to reach an elevation as required for drainage by the Department of Public Utilities	X	X	X
Chimneys <u>so long as they projecting 2 feet or less into the yard and must be located not less than 2 feet from a lot line</u>		X	X
Decks <del>(open)</del> <u>(uncovered) 2 feet high or less</u>	X	X	X
<u>Decks (uncovered) over 2 feet high, and associated steps, not more than 32 square feet in area</u>			<u>X</u>
Eaves, not including gutters projecting 2 feet or less into the <u>required yard. 4 foot eave may project into a 20 foot yard</u>	X	X	X

<u>area Where a 20 foot yard is provided, eaves may project 4 feet into the yard</u>			
<del>Fallout shelters (completely underground), conforming to applicable civil defense regulations and located not less than 4 feet from a lot line</del>			X
Fences or walls subject to applicable height restrictions of chapter 21A.40 of this title	X	X	X
Fire escapes projecting 4 feet or less			X
Flagpoles: (subject to provisions of subsection c, table 21a.36.020c of this section)			
Residential Districts: 1 permanent flagpole per street frontage	X	X	X
Nonresidential Districts: 3 flagpoles per street frontage <del>Subject to provisions of subsection c, table 21a.36.020c of this section</del>	X	X	X
Ground mounted utility boxes subject to the provisions of sSection 21A.40.160 of this title	X	X	X
Ham radio antennas subject to provisions of subsection 21A.40.090D of this title			X
<del>Landscaping, including decorative berms 4 feet or less in height with no grade change along any property line, provided that if such landscaping obstructs the visibility of an intersection the City may require its pruning or removal</del>	X	X	X
<del>Laundry drying equipment (clothesline and poles)</del>	X	X	X
<u>Light poles for sport fields such as ballparks, stadiums, soccer fields, golf driving ranges, and similar uses when such a use is permitted</u>	X	X	X
<u>Other accessory structures not regulated elsewhere and not exceeding 10 feet in height and 120 square feet in area</u>	X	X	X
<del>Parking, carports and covered parking spaces except as otherwise expressly authorized by section 21A.44.060 of this title</del>			X
Patios on grade	X	X	X
<del>Patios on grade (attached, covered and unenclosed) maintaining a minimum 15 foot setback from the rear property line</del>			X
<del>Porches (attached, covered and unenclosed) projecting 5 feet or less</del>			X
<del>Recreational: (playground) equipment, private</del>			X
<u>Playground equipment, private</u>			X



<u>Playground equipment, public park or public open space</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Swimming pools (measured to the water line), game courts, and similar uses located at least 5 feet from all lot lines</u>			<u>X</u>
<u>Recreational (playground) equipment, public park or public open space</u>	X	X	X
Refuse and recycling dumpster <sup>4</sup>			X
<del>Removable ramp for persons with disabilities (when approved as a special exception)</del> <u>Accessibility ramps and lifts</u>	X	X	X
<del>Satellite dish antennas</del>		X	X
<del>Signs, subject to the provisions of chapter 21A.46 of this title</del>	X	X	X
Steps and required landings 4 feet or less above or below grade which are necessary for access to a permitted building and located not less than 4 feet from a lot line	X	X	X
<del>Swimming pools (measured to the water line), tennis courts, game courts, and similar uses shall not be located less than 10 feet from a property line</del>		X	X
<del>Window mounted refrigerated air conditioners and evaporative "swamp" coolers located at least 2 feet from the property line.</del>	X	X	X
Window wells <del>not over 6 feet in width and projecting not more than 3 feet from structure</del> <u>into a front or side yard</u>	X	X	X

Notes:

1. "X" denotes where obstructions are allowed.
2. ~~Reserved. The Planning Director or designee may allow grade changes in the FP and FR District to exceed 4 feet in height if necessary to ensure access to the~~ property.
3. The accessory structure shall be located in accordance with Section 21A.40.050.A.3.
4. Only permitted in nonresidential zoning districts or in residential zoning districts where there are 4 or more dwellings units at a property.

3: Amending Table 21A.36.020.C as follows:

**TABLE 21A.36.020.C  
HEIGHT EXCEPTIONS**

Type	Extent Above Maximum Building Height Allowed By The District	Applicable Districts
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Chimney	As required by local, State or Federal regulations	All zoning districts
Church steeples or spires	No limit	All zoning districts
Elevator/stairway tower or bulkhead	16 feet	All <u>zoning districts except those listed in 21A.24 Commercial, Manufacturing, Downtown, FB-UN2, FB-MU, RO, R-MU, RMF-45, RMF-75, RP, BP, I, UI, A, PL and PL-2 Districts</u>
Flagpole	Maximum <u>building</u> height of the zoning district in which the flagpole is located or 60 feet, whichever is less. <del>Conditional use approval is required for additional height</del>	All zoning districts
Light poles for sport fields such as ballparks, stadiums, soccer fields, golf driving ranges, and similar uses <sup>1</sup>	Maximum <u>building</u> height of the zoning district or <del>90</del> <u>70</u> feet whichever is greater. <del>Special exception approval is required for any further additional height or if the lights are located closer than provided the lights are located a minimum of 30 feet from adjacent residential structures</del>	All zoning districts that allow sport field activities and stadiums excluding parks less than 4 acres in size
<del>Mechanical equipment p</del> Parapet wall, <u>railing, fence, or other similar safety feature or structure</u>	5 feet	All zoning districts, other than the FP, FR-1, FR-2, FR-3, and <u>Open Space Districts, R-1, R-2, SR, and OS districts</u>
<u>Rooftop amenities</u> <sup>2</sup>	<u>5 feet</u>	<u>All zoning districts except those listed in 21A.24</u>
<u>Unenclosed shade structures</u> <sup>3</sup>	<u>10 feet</u>	<u>All zoning districts except those listed in 21A.24</u>

Notes:

1. Lighting shall be shielded to eliminate excessive glare or light into adjacent properties and have cutoffs to protect the view of the night sky.

- 50 2. Amenities shall be setback at least 10 feet from a property line that abuts a 21A.24  
51 district. Physical separation shall be provided to delineate the rooftop amenity area.  
52 3. Shade structures shall be setback a minimum of 10 feet from all edges of the building  
53 and may not cover more than 40% of the total rooftop area. The shade structures shall  
54 not have any walls that are greater than 5 feet in height.  
55

56 [end]  
57

## **2. CHRONOLOGY**

# Project Chronology

**Petition:** PLNPCM2024-00231

- |                         |   |
|-------------------------|---|
| February 14, 2024       | Petition initiated by Salt Lake City Planning Commission.   |
| February 28, 2024       | Petition assigned to Ben Buckley, Associate Planner.  |
| March 2024 – April 2024 | Staff reviewed the petition and drafted language to support goals of the petition.                                |
| April 12, 2024          | Notice of petition sent to all city recognized community organizations.   |
| April 16, 2024          | Petition posted to the Planning Division’s Online Open House webpage. Public comment period ended May 31, 2024.   |
| May 9, 2024             | Staff presented the proposal to the East Liberty Park Community Organization.                                     |
| May 16, 2024            | Staff presented the proposal to the Liberty Wells Community Council.  |
| May 20, 2024            | Staff Presented the proposal to the Sugar House Land Use Committee.   |
| June 13, 2024           | Planning Commission agenda posted to the website and emailed to the listserv.                                     |
| June 20, 2024           | Staff Report posted to Planning’s webpage.  |
| June 26, 2024           | Planning Commission meeting and public hearing held. A positive recommendation was forwarded to the City Council. |
| August 27, 2024         | Ordinance received from City Attorney’s office.   |

### **3. NOTICE OF CITY COUNCIL HEARING**

## NOTICE OF CITY COUNCIL HEARING

The Salt Lake City Council is considering Petition **PLNPCM2024-00231** – the Salt Lake City Planning Commission unanimously voted to initiate a zoning text amendment to modify Table 21A.36.020.B, Table 21A.36.020.C, and any other necessary changes to Title 21A that are related to either table. The purpose of the amendment is to address zoning administration issues, modify provisions to match building code requirements, eliminate outdated provisions, and to specifically allow rooftop uses to exceed the maximum height in some zoning districts. (Staff Contact: Ben Buckley, 801-535-7142, [benjamin.buckley@slc.gov](mailto:benjamin.buckley@slc.gov)).

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During the hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The Council may consider adopting the ordinance the same night of the public hearing. The hearing will be held:

**DATE:**

**TIME:**

**7:00 pm**

**PLACE:**

**Electronic and in-person options.**

**451 South State Street, Room 326, Salt Lake City, Utah**

**\*\* This meeting will be held via electronic means, while also providing for an in-person that opportunity to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, including WebEx connection information, please visit [www.slc.gov/council/virtual-meetings](http://www.slc.gov/council/virtual-meetings). Comments may also be provided by calling the 24-Hour comment line at (801) 535-7654 or sending an email to [council.comments@slcgov.com](mailto:council.comments@slcgov.com). All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Ben Buckley at 801-535-7142 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or via e-mail at [benjamin.buckley@slc.gov](mailto:benjamin.buckley@slc.gov). The application details can be accessed at <https://citizenportal.slcgov.com/>, by selecting the “Planning” tab and entering the petition number PLNPCM2024-00231.

People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at [council.comments@slcgov.com](mailto:council.comments@slcgov.com), (801)535-7600, or relay service 711.

## **4. ORIGINAL PETITION**





# Staff Report

PLANNING DIVISION

**To:** Salt Lake City Planning Commission  
**From:** Nick Norris, [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com) or 801-535-6173  
**Date:** February 14, 2024  
**Re:** Petition Initiation request

## PETITION INITIATION REQUEST

**PROPERTY ADDRESS:** NA  
**PARCEL ID:** NA  
**MASTER PLAN:** NA  
**ZONING DISTRICT:** NA

### REQUEST:

At the January 24, 2024 commission meeting, the commission asked to initiate a petition to update the zoning code to allow roof top use. Initiating a zoning text amendment is required to be placed on a meeting agenda and be notices with at least 24 hour notice.

### Background

The commission was presented with a planned development during the January 24, 2024 public hearing that included a request for an increase in building height to accommodate roof top use. The zoning code regulates rooftop use through the building height regulations. If a rooftop is to be used as habitable space, all of the required railings and other structures must be within the allowed building height.

Zoning code section 21A.36.020 includes tables that identify allowed encroachments into required yards and encroachments that are allowed to exceed the maximum building height. These tables would be modified to address rooftop use.

These tables have not seen major revisions since they were adopted in 1995. In addition, there have been some administrative interpretations and appeals regarding the tables that have found that some aspects of the current encroachment tables are vague or conflict with other sections of code. The Utah Legislature is currently considering a bill that would authorize certain encroachments as well. The Planning Division would like to request that if the commission chooses to initiate a petition to address roof top use, that it also include updating the encroachment tables to address these issues and in anticipation of pending changes proposed by the Utah Legislature.

## **NEXT STEPS**

If initiated, the Planning Division will identify the recommended changes to the tables and begin processing the proposal. If the commission decides not to initiate the petition the encroachment tables will not likely be modified until after the legislative session, at which time the division will likely ask the mayor to initiate the zoning text amendment along with other necessary code changes that may be required due to adopted changes to Utah Code.

## **SALT LAKE CITY PLANNING COMMISSION MEETING**

**City & County Building  
451 South State Street, Room 326  
Salt Lake City, Utah 84111  
Wednesday, February 14, 2024**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at approximately 5:30 p.m. Audio recordings of the Planning Commission meetings are retained for a period of time. These minutes are a summary of the meeting and not a verbatim transcript. A video recording of the meeting is available at <https://www.youtube.com/c/SLCLiveMeetings>.

Present for the Planning Commission meeting were: Chair Mike Christensen, Vice-Chair Carlos Santos-Rivera, Commissioners Anaya Gayle, Landon Kraczek, Aimee Burrows, Amy Barry, and Rich Tuttle. Commissioner Bree Scheer and Brian Scott were absent from the meeting.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager Wayne Mills, Senior City Attorney Katherine Pasker, Principal Planner Rylee Hall, Principal Planner Aaron Barlow, Senior Planner Cassie Younger, Principal Planner Grant Amann, Principal Planner Andy Hulka, and Administrative Assistant David Schupick.

Chair Mike Christensen shared the opening statement.

### **REPORT OF THE CHAIR AND VICE CHAIR**

The Chair had nothing to report.

The Vice Chair had nothing to report.

### **REPORT OF THE DIRECTOR**

Director Nick Norris had nothing to report.

### **OPEN FORUM**

The Commission had nothing to discuss.

### **OTHER BUSINESS**

The Commission may consider initiating a zoning amendment to modify 21A.36.020.C Allowed Encroachments and 21A.36.020.D Height Encroachments. The purpose of the proposal is to update the table to address zoning administration issues, modify provisions to match building code requirements, eliminate outdated provisions and specifically to allow roof top uses to exceed the maximum height in some zoning districts.

### **MOTION**

Commissioner Barry stated, "I move that the Commission initiate a zoning text amendment for chapter 21A.36.020, specifically Table 21A.36.020.B and Table 21A.36.020.C and any necessary changes to Title 21A that are related to either table"

Commissioner Santos-Rivera seconded the motion. Commissioners Barry, Santos-Rivera, Burrows, Gayle, Tuttle, Christensen, and Kraczek voted "yes". The motion passed unanimously.

### **CONSENT AGENDA**

#### **1. Approval of the Meeting Minutes for January 10, 2024**

2. **Planned Development at approximately 1532 S 900 West** - Santiago Tovar (applicant), representing the property owner, is requesting a Planned Development for modifications needed to subdivide the subject property in order to create a second lot to build a single-family dwelling. Modifications include reduced lot width and reduced front and rear yard setbacks. The property is located in the R-1/7,000 Single Family Residential Zone. There is an existing single-family home on the property the applicant intends to retain. This property is in the R-1/7,000 Single Family Residential Zone. The subject property is within Council District 2, represented by Alejandro Puy. (Staff contact: Rylee Hall at 801-535-6308 or rylee.hall@slcgov.com) **Case Number: PLNPCM2023-00660**
3. **Chromeworks Time Extension at approximately 269 W Brooklyn Avenue** - George Hauser, representing the property owner, is requesting a one-year extension for the Chromeworks project that was initially approved by the Planning Commission on December 9th, 2020. The granted Planned Development and Design Review modification allowed for additional building height and balcony encroachments into the required front yard area. The subject is within Council District 5, represented by Darin Mano. (Staff contact: Nannette Larsen at 801-535-7645 or nannette.larsen@slcgov.com) **Case Number: PLNPCM2020-00610 & PLNPCM2020-00843**
4. **Planned Development for Riverside Cottages at approximately 552 N 1500 W** - Bert Holland, representing Hoyt Place Development, LLC, is requesting Planned Development approval for an 18-lot development consisting of detached single-family houses that would be accessed by a private road at the above-listed address. This application is required to allow new lots without street frontage, reduced setbacks, and other necessary modifications to relevant zoning regulations. Currently, the subject site consists of single-family houses with large rear yards. The site is located within Council District 1, represented by Victoria Petro. (Staff contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case Number: PLNPCM2023-00251**

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Shawna Peck stated their objection to the Planned Development at approximately 1532 S 900 West. Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

Planning Director Nick Norris addressed the public comment stating that the fire department's review of the plans declared that the development will require appropriate fire access roads, and that the Planning Commission would not have the ability to make modifications to that.

## **MOTION**

**Commissioner Burrows stated, "I motion to approve the consent agenda."**

**Commissioner Kraczek seconded the motion. Commissioners Santos-Rivera, Burrows, Gayle, Tuttle, Christensen, and Kraczek voted "yes". Commissioner Barry voted "yes" to the consent agenda but abstained from the minutes due to being absent for that meeting. The motion passed unanimously.**

## **REGULAR AGENDA**

1. **Parking Text Amendment** - Mayor Mendenhall has initiated a zoning text amendment that would prohibit the demolition of housing to construct or expand standalone commercial parking

lots/structures and the expansion of existing parking lots. This amendment is intended to be part of a package of changes that implements Thriving in Place (TIP). The proposed regulation changes will affect sections 21A.33 and 21A.44 of the zoning ordinance. (Staff contact: Cassie Younger at 801-535-6211 or [cassie.younger@slcgov.com](mailto:cassie.younger@slcgov.com)) **Case Number: PLNPCM2023-00646**

Cassie Younger reviewed the petition as outlined in the staff report.

Commissioner Kraczek and Burrows asked clarifying questions on what the amendment's intent is. Staff stated that the intent of the amendment is to prevent the creation of new standalone parking as a use from displacing housing. Commissioner Kraczek stated that clarifying language in specifying the intent would be helpful.

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Cindy Cromer stated their concern for the loss of affordable housing units.

Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

### **MOTION**

**Commissioner Barry stated, "I move that the Commission table this item to give staff more time to add clarifying language on the intent of the amendment."**

**Commissioner Tuttle seconded the motion. Commissioners Kraczek, Burrows, Barry, Tuttle, Santos-Rivera, and Christensen voted "yes". Commissioner Gayle voted "no". The motion passed 6 yes votes and 1 no vote.**

- 2. Zoning Map Amendment at approximately 1050 W 1300 S** - Mayor Mendenhall has initiated a petition to amend the zoning map for city-owned property stated above. The proposal would rezone the property from R-1/5000, Single-Family Residential to RMF-30 Low Density Multi-Family Residential District. The project is within Council District 2, represented by Alejandro Puy. (Staff contact: Rylee Hall at 801-535-6308 or [rylee.hall@slcgov.com](mailto:rylee.hall@slcgov.com)) **Case Number: PLNPCM2023-00609**

Rylee Hall reviewed the petition as outlined in the staff report.

Commissioner Barry asked which agency would be issuing the RFP for the property. Nick Norris stated that the RFP would be put together most likely by the Department of Community and Neighborhoods.

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Scott Gosin stated their opposition to the petition.

David Troster stated their opposition to the petition.

Rick Neilson stated their opposition to the petition.

Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

Commissioner Tuttle asked for additional information on the impact of the Riparian Corridor Overlay. Rylee Hall reviewed the impact. Commissioner Christensen asked how many units could be developed with the Riparian Corridor Overlay versus without it. Rylee Hall stated that currently 36 cottage units could be built without and 27 of any other housing type unit with. Commissioner Kraczek asked if it would be possible to maintain the Riparian Corridor Overlay for public use. Rylee Hall stated that it is not part of this application but could be possible. Commissioner Santos-Rivera asked for clarification on why the development of the park was not completed. Rylee Hall elaborated on the history of the CIP application. Commissioner Burrows asked clarifying questions on the zoning with the Riparian Corridor Overlay and deciding on what can be built.

## **MOTION**

**Commissioner Burrows stated, “Based on the information presented and discussion, I move that the Commission forward a recommendation to adopt this zoning map amendment to the City Council.”**

**Commissioner Gayle seconded the motion. Commissioners Kraczek, Burrows, Barry, Gayle, Tuttle, and Christensen voted “yes”. Commissioner Santos-Rivera voted “no”. The motion passed 6 yes votes and 1 no vote.**

3. **Zoning Text Amendment for Projecting Signs in All Commercial and Mixed-Use Districts** – Salt Lake City is requesting to adopt new zoning regulations in order to allow projecting business signs as an approved sign type in all commercial and mixed-use districts. The proposed regulation changes will affect sections 21A.46 Signs of the zoning ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition to increase clarity in the Sign ordinance. (Staff contact: Grant Amann at 801-671-8213 or grant.amann@slcgov.com) **Case Number: PLNPCM2023-00996**

Grant Amann reviewed the petition as outlined in the staff report.

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Cindy Cromer stated their approval for the petition.

Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

Commissioner Barry stated reasons of approval for the petition.

## **MOTION**

**Commissioner Barry stated, “Based on the information presented and discussed, I move that the Commission recommend that the City Council approve this zoning text amendment proposal.”**

**Commissioner Kraczek seconded the motion. Commissioners Kraczek, Burrows, Barry, Gayle, Tuttle, Santos-Rivera, and Christensen voted “yes”. The motion passed unanimously.**

4. **TAG SLC Text Amendment** - Natalia Linchenko of TAG SLC is requesting the City adopt new zoning regulations in order to allow for single-family attached dwellings in commercial zones where multi-family dwellings are already permitted; This includes the CB, CS, CC, CG, and CSHBD zones. The proposed regulation changes will affect sections 21A.33.030 of the zoning ordinance. Related

provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Cassie Younger at 801-535-6211 or [cassie.younger@slcgov.com](mailto:cassie.younger@slcgov.com) and Aaron Barlow at 801-535-6182 or [aaron.barlow@slcgov.com](mailto:aaron.barlow@slcgov.com)) **Case Number: PLNPCM2023-00894**

Cassie Younger and Aaron Barlow reviewed the petition as outlined in the staff report. The applicant gave a formal presentation.

Commissioner Burrows asked clarifying questions on financing and developing for single family attached versus condos. Commissioner Kraczek asked questions on potential issues that could reduce density with the development of single family attached. Staff stated that it depends on the zoning, but there are no proposed density requirements for Single Family Attached in these zones. Commissioner Gayle asked for clarification as to who is regulating the common areas of this project versus the management of private areas. The applicant stated that single family attachment developments that they have previously done have still required an HOA. Aaron Barlow stated that it depends on how the lots are subdivided.

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Seeing no one wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

Commissioner Santos-Rivera stated approval for the design standards for the front doors in the amendment.

Commissioner Barry stated an idea to incorporate a minimum density requirement for a single family attachment development. The Commission discussed options and opinions on the density that could be provided within the different zones.

## **MOTION**

**Commissioner Santos-Rivera stated, “Based on the information presented and discussion, I move that the Commission forward a positive recommendation to adopt this Text Amendment with the modifications recommended by Planning Staff to the City Council.”**

**Commissioner Burrows seconded the motion. Commissioners Kraczek, Burrows, Gayle, Tuttle, Santos-Rivera, and Christensen voted “yes”. Commissioner Barry voted “no”. The motion passed 6 yes votes and 1 no vote.**

**The Commission took a 5-minute break to reconvene at 7:01 PM.**

- 5. Zoning Map Amendment at approximately 333 W 700 S - TAG SLC, representing the property owner, Bestway Investors, LLC, is requesting approval from the City to amend the zoning map for a portion of the property stated above. The property is currently "split-zoned" with the majority of the property zoned CG (General Commercial) and the southeast corner of the property zoned D-2 (Downtown Support). The proposal would rezone the CG portion of the property to D-2. No development plans were submitted with this application. The subject property is within Council District 4, represented by Eva Lopez Chavez. (Staff contact: Andy Hulka at 801-535-6608 or [andy.hulka@slcgov.com](mailto:andy.hulka@slcgov.com)) **Case Number: PLNPCM2023-00923****

Andy Hulka reviewed the petition as outlined in the staff report. The applicant gave a brief overview of their request.

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Seeing no one wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

### **MOTION**

**Commissioner Santos-Rivera stated, “Based on the information presented and discussion, I move that the Commission forward a recommendation to adopt this Zoning Map Amendment to the City Council.”**

**Commissioner Kraczek seconded the motion. Commissioners Kraczek, Burrows, Barry, Gayle, Tuttle, Santos-Rivera, and Christensen voted “yes”. The motion passed unanimously.**

6. **Zoning Map Amendment at approximately 450 E 700 S** - Salt Lake City has received a request from Trevor Cell, the property owner, to rezone the property address listed above from RMF-35 Moderate Density Multi-Family Residential to RMF-30 Low Density Multi-Family Residential. The stated intent of the proposal is to enable development of the site in its historic configuration, which is not permitted by the RMF-35 Zoning District. Consideration may be given to rezoning the property to another zoning district with similar characteristics. The subject property is within Council District 4, represented by Eva Lopez Chavez. (Staff contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case Number: PLNPCM2023-00452**

Aaron Barlow reviewed the petition as outlined in the staff report.

Commissioner Barry asked if RMF30 allows for new construction to match what currently exists. Aaron Barlow stated that the setback is the average of the setbacks on the block.

Commissioner Santos-Rivera asked for clarification on the historic configurations. Aaron Barlow elaborated on the historic layout of the site.

## **PUBLIC HEARING**

Chair Mike Christensen opened the public hearing.

Cindy Cromer stated concerns for the petition.

Gregory Roth stated their support for the petition but disapproval of the signage description of the proposal.

Rhianna Riggs stated their support for the petition.

Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

## **EXECUTIVE SESSION**

Commissioner Burrows reiterated the concerns stated about postings. Aaron Barlow stated that he has been in conversation with Preservation Utah and is working on improving the process for postings.

Commissioner Barry stated reasons in favor for the project.

### **MOTION**



**Commissioner Barry stated, “Based on the information presented and the discussion, I move that the Commission recommend that the City Council approve this Zoning Map amendment.”**

**Commissioner Gayle seconded the motion. Commissioners Kraczek, Burrows, Barry, Gayle, Tuttle, Santos-Rivera, and Christensen voted “yes”. The motion passed unanimously.**

The meeting adjourned at approximately 7:27 PM.

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